

LR 100-1 CM/ECF - Case Management and Electronic Case File System

The District of Oregon uses the federal judiciary's CM/ECF system to support electronic filing and service in civil and criminal cases, and electronic access to civil and criminal Court records.

LR 100-2 Mandatory Electronic Filing

Unless otherwise limited by these rules, the Court and Registered Users must file all pleadings, documents (including attachments and exhibits), and other papers in civil and criminal cases electronically through the CM/ECF system.

LR 100-3 CM/ECF User's Manual

Registered Users are to follow the electronic filing requirements as described in detail in the CM/ECF User's Manual at <http://ord.uscourts.gov/attorneys/cm-ecf-and-pacer> . Periodically, this manual may be updated to conform with new releases or features of the CM/ECF system. Notice of any updates will be posted on the Court's website.

Practice Tips

Documentation and Training Documentation and training materials, including the Court's CM/ECF User's Manual, are available at <http://ord.uscourts.gov/attorneys/cm-ecf-and-pacer>.

General Questions

General questions regarding the CM/ECF system may be sent via e-mail to cmecf@ord.uscourts.gov.

Clerk's Office Assistance For specific filing questions, users should contact the docket Clerk associated with the case.

Public Access to Court Electronic Records (PACER) PACER User's Account to retrieve public information.

Visit the PACER Service Center website at www.pacer.uscourts.gov for information on how to set up an individual PACER account.

LR 100-4 CM/ECF Users (See also [LR 83](#))

(a) Registered Attorneys

Lawyers admitted to the bar of this Court pursuant to [LR 83-1](#) , [LR 83-3](#) and [LR 83-4](#) must register with the Clerk's Office to establish a User Account in the CM/ECF system. Upon registration, lawyers are deemed to be Registered Users for purposes of these Local Rules. Unless a Registered User has notified the Court that they wish to opt out of electronic service, the Registered User has consented to receive service electronically and waived the right to receive such service by first class mail or personal service pursuant to

[Fed. R. Civ. P. 5\(b\)\(2\)\(E\)](#)

and

[Fed. R. Crim. P. 49](#)

. This consent pertinent to

[Fed. R. Civ. P. 5](#)

does not affect service of a summons and complaint pursuant to

[Fed. R. Civ. P. 4](#)

, i.e., there is no electronic service of a complaint. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment.

(b) Non-Registered Attorneys

For good cause shown in a specific case, attorneys without access to automation and the Internet may apply to the assigned judge for an exemption from the CM/ECF electronic filing requirements (See [LR 83-1\(e\)](#)).

(c) Pro Se Party Litigants

On a case-by-case basis, a pro se party may apply to the assigned judge for permission to become either: (1) a Registered User; or (2) a recipient of electronic filing notices by e-mail without becoming a Registered User. If approved as a Registered User, then the Clerk will assign the pro se party a CM/ECF login and password, that individual will become a Registered User in the specific case subject to all of the requirements of LR 100, and the receipt by the pro se party of the Court's e-mail notices of electronic filing will constitute service upon the pro se party. If the pro se party is approved to receive electronic filing notices without becoming a Registered User, then the pro se party will not have access to the CM/ECF system for the purpose of filing documents and there is no consent to electronic service by the pro se party. Accordingly, opposing parties are still required to serve paper copies of any documents on a pro se party who is approved to receive electronic filing noticed by e-mail, but is not approved to become a Registered User.

LR 100-5 Official Case Record

(a) Documents That Must be Filed in Hard Copy (*i.e.*, Paper)

The following documents cannot be filed electronically, and must instead be filed in hard copy (paper):

(1) Case Initiating Documents: Unless otherwise ordered by the Court or permitted by these Local Rules, Registered Users and Non-Registered Attorneys must also present a CD-R containing text searchable PDF files of initial case papers at the time of filing. (See Practice Tip

below.)

(2) Sealed and In Camera Documents (See also [LR 3-8](#) , [3-9](#) and [10-3](#)).

(3) Individual Consent to Jurisdiction by a United States Magistrate Judge.

(4) Individually identifiable health information protected under HIPPA. (See also 45 C.F.R. § 160.103).

Practice Tips

1. The following initial case pleadings and documents must be included as to
2. The Civil Cover Sheet is to be included on the CD-R as a separate PDF file.
3. It is not necessary to include a PDF file containing issued summons(es) on the
4. Corporate Disclosure Statements, if filed at the same time as the Complaint
5. Return of Service documents must be electronically filed.

Practice Tips

1. Word processing systems (like WordPerfect, or Microsoft Word) can generate
2. Attachments, or other documents not generated by the filing party's word processing
3. The [on-line User's Manual](#) has additional information about

(b) Demonstrative or Oversized Exhibits

Demonstrative or oversized exhibits may be filed in hard copy and do not need to be accompanied with a CD-R containing a PDF version of the filing.

(c) Transcripts and/or Exhibits in Habeas Corpus Cases

Transcripts and/or exhibits over 200 pages in habeas corpus cases may be filed in hard copy and served by the Attorney General's Office for the State of Oregon without prior Court approval.

(d) Trial Exhibits

Trial exhibits are not filed in the CM/ECF system and are delivered through the Clerk's office for submission to the assigned judge.

(e) All Other Documents

(1) Documents Filed Electronically

In accordance with [Fed. R. Civ. P. 58](#) and [79](#), the electronic filing of a document (together with the CM/ECF system's transmission of the Notice of Electronic Filing) constitutes filing of that document, the official record for all purposes of the Federal Rules of Civil Procedure and the Local Rules of this Court, and entry of the document on the docket kept by the Clerk.

(2) Documents Filed in Hard Copy

(A) Documents Filed Before September 1, 2006: Unless otherwise directed by the Court, documents filed in hard copy before September 1, 2006, constitute the official record.

(B) Documents Filed After September 1, 2006: Documents authorized to be filed in hard copy on or after September 1, 2006, will be filed and docketed by the Clerk and will constitute the official record until or unless the Clerk elects to scan and upload an electronic version of the paper filing.

(C) Concurrent Submission of a CD-R with Hard Copy Filings: Unless otherwise ordered by the Court or permitted by these Local Rules, Registered Users and Non-Registered Attorneys must present a CD-R containing text searchable PDF files of documents filed in hard copy.

LR 100-6 Clerk's Conversion of a Hard Copy Filing into an Electronic Replacement

The Clerk may scan and convert a hard copy filing in its entirety to an electronic replacement for posting to the CM/ECF system. If the Clerk does so, the hard copy filing may be returned to the filing party or disposed of in accordance with guidance from the Administrative Office of the U.S. Courts.

LR 100-7 Judge's Paper Copy Requirements (See [LR 5-1](#) and [LR 10-1\(e\), \(g\)](#) and Practice Tips)

A paper copy, properly fastened pursuant to [LR 10-1\(e\)](#) , of the following electronically filed motions, responses, and replies (including associated legal memoranda, attachments, exhibits, affidavits or declarations), and the Notice of Electronic Filing, must be marked as a "JUDGE'S COPY" and delivered to the Clerk's office within three (3) business days after the electronic filing:

(a) Civil Cases

Dispositive motions, motions for injunctive relief, and any documents in excess of five (5) pages.

(b) Criminal Cases

Motions in limine, motions to dismiss, suppression motions, and any documents in excess of five (5) pages.

LR 100-8 Service (See also LR 100-1 and 100-2)

(a) CM/ECF Electronic Service

(1) Completion of Service: Electronic service is complete upon transmission of the Notice of Electronic Filing, but is not effective if the serving party learns that it did not reach the person to be served.

(2) Notice of Electronic Service: The Notice of Electronic Filing will be transmitted to all Registered Users who have appeared in the case, and confirmation of receipt of the Notice of Electronic Filing fulfills the notice requirements of [Fed. R. Civ. P. 5\(b\)](#) and [77\(d\)](#) .

Practice Tip

Except for a document filed under seal, the Notice of Electronic Filing generated by the CM/ECF s

(b) Hard Copy Service

The filing party is responsible for perfecting hard copy service in any manner permitted by the Federal Rules of Civil Procedure (and for filing a Certificate of Service with the Clerk's office) for every:

- (1) Document permitted by these rules to be filed in hard copy instead of electronically;
- (2) Electronic filing that could not be electronically served upon a party or Registered User who appeared in the action; and
- (3) Document filed under seal.

LR 100-9 Hyperlinks

(a) Authorization

Electronically filed documents may contain hyperlinks to other portions of the same document, and/or hyperlinks to a location on the Internet that contains a source document for a citation.

(b) Citation Format

Hyperlinks to cited authority do not replace standard citation format. Complete citations must be included within the text of the document. Neither a hyperlink, nor any site to which it refers, is considered part of the record. Hyperlinks are simply convenient mechanisms for accessing material cited in an electronically filed document.

(c) Disclaimer

The Court neither endorses, nor accepts responsibility for any product, organization, or content at any hyperlinked site, or at any site to which that site may be linked.

LR 100-10 Court Orders and Judgments

Every order or other Court-issued document filed electronically without the original signature of a judge or Clerk has the same force and effect as if the judge or Clerk had signed a paper copy of the order and it had been entered on the docket in a conventional manner. Orders may also be issued as "text only" entries on the docket, without an attached document.

Practice Tip - Mailing Judgments to Registered Users

In accordance with [Fed. R. Civ. P. 5\(b\)](#) and [77\(d\)](#), the Clerk's Office doe

LR 100-11 Retention Requirements (See [LR 10-3](#))

(a) Documents Containing Original Signatures of Non-Registered Users

Electronically filed documents such as affidavits or declarations under penalty of perjury which contain original signatures of persons who are not Registered Users must be maintained in their original paper form by the Registered User until the later of:

- (1) The final disposition of the case, including appeal or expiration of the time for appeal; or,
- (2) The expiration of any relevant statute of limitations.

(b) Production of Original

On request of the Court or a party, the Registered User must provide the document for review.

LR 100-12 Personal Privacy Issues (See also [LR 3-8](#) and [LR 10-3](#))

Information posted on the CM/ECF system may not be downloaded for uses inconsistent with the privacy concerns of any person.

Amendment History to LR 100

June 1, 2006

Generally

LR 100 has been revised old.uscourts.gov to codify only the core local rule requirements.

December 1, 2009

Generally

Reorganized for formatting and readability. Takes into account the fact that e-filing is now required for all parties.

LR 100-4(c)

Amended to allow pro se litigants to seek an order allowing them to receive transcripts by mail.

LR 100.5

Electronic Filing Deadline rules moved to LR 5. Subsequent rules renumbered.

LR 100-5(c)

Added to allow conventional filing of transcripts and/or exhibits over 200 pages.

LR 100-9

Electronic Signature rules moved to LR 11. Subsequent rules renumbered.